

NORMAN L. CARTER, individually  
and d/b/a CARTER'S NEWS AGENCY,  
PLAINTIFF.

-vs-

WILLIAM E. MOORE, individually  
and d/b/a MOORE'S NEWS STAND  
DEFENDANT.

: IN THE CIRCUIT COURT OF  
:  
: BALDWIN COUNTY, ALABAMA.  
:  
: AT LAW.  
:  
: CASE NO. 2942.  
:  
:

DEMURRER

Comes the defendant in the above entitled cause and demurs to the complaint, and separately and severally to each count thereof, and for grounds of demurrer, assigns, separately and severally, the following:

1. Said count is vague and indefinite.
2. Said count states no cause of action against the defendant.
3. The verified account is vague and indefinite.
4. The verified account is misleading .
5. The verified account is not stated with sufficient certainty.

FILED

JUN 29 1956

WILLIAM E. MOORE, Clerk

Julius A. Madbury  
ATTORNEY FOR DEFENDANT.

Defendant respectfully requests that this cause be tried by a jury.

Julius A. Madbury  
ATTORNEY FOR DEFENDANT.

NORMAN L. CARTER, individually  
and d/b/a CARTER'S NEWS AGENCY,  
PLAINTIFF.

-vs-

WILLIAM E. MOORE, individually  
and d/b/a MOORE'S NEWS STAND  
DEFENDANT.

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:

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COUNT ONE

Plaintiff claims of the Defendant SIX HUNDRED FOURTEEN and 14/100 (\$614.14) DOLLARS due from him by account, on, to-wit January 10th, 1956, which sum of money with the interest thereon, is still unpaid.

COUNT TWO.

Plaintiff claims of the Defendant SIX HUNDRED FOURTEEN and 14/100 (\$614.14) DOLLARS due from him for merchandise, goods and chattels sold by the Plaintiff to the Defendant, on to-wit/ the 10th day of January, 1956, which sum of money with the interest thereon is still unpaid.

Albert V. Gorton  
ATTORNEY FOR PLAINTIFF.

AN itemized statement of account verified by the affidavit of a competent witness is attached hereto and made a part hereof as fully, as if set forth herein.

FILED

JUN 1 1956

ALICE J. DICK, Register

Albert V. Gorton  
ATTORNEY FOR PLAINTIFF.

DEFENDANT'S ADDRESS

Bay Minette, Alabama.

STATE OF ALABAMA, }  
COUNTY OF MOBILE. }

NORMAN L. Carter

Before me, the undersigned authority, personally appeared

known to me, who being duly sworn, upon his oath states that he is a the owner

of CARTER'S NEWS AGENCY

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a sole trader doing business as CARTER'S NEWS AGENCY

and that as such he makes this affidavit: that he is familiar with the books and business of said

CARTER'S NEWS AGENCY

that the attached account against WILLIAM E. MOORE, individually and d/ba MOORE'S NEWS/  
is just and correct, and within the personal knowledge of this affiant; that the items thereon stated and composing the  
said account were sold and delivered to said WILLIAM E. MOORE, individually and d/b/a MOORE'S

NEWS STAND

at the special instance and request of said debtor, and that credit has been duly given for all payments and just and  
lawful offsets to which said account is entitled as thereon stated, and that the balance thereof, amounting to the sum of  
SIX HUNDRED FOURTEEN and 14/100 Dollars (\$ 614.14 ) with interest

from January 10th, 19 56, is justly due and remains unpaid.

Sworn to and subscribed before me on this the 30th day of July, 19 56.

Norman L. Carter, Notary Public.

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. 2942

June

TERM, 1956

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon

WILLIAM E. MOORE, individually and d/b/a MOORE'S NEWS STAND

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in

the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against WILLIAM E. MOORE,

individually and d/b/a MOORE'S NEWS STAND

Defendant

by NORMAN L. CARTER, individually and d/b/a CARTER'S NEWS AGENCY

Plaintiff

Witness my hand this 1st. day of June 1956

Walter J. Smith, Clerk

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ALBERT S. GASTON  
COUNSELOR AT LAW - PROCTOR IN ADMIRALTY  
GRAYSTONE BUILDING  
MOBILE, ALABAMA

TELEPHONE  
HEMLOCK 3-8063

P. O. BOX 820

MY 31st 1956.

Mrs. Alice J. Duck, Clerk,  
Circuit Court of Baldwin County, Ala.  
Court House,  
Bay Minette, Alabama.

Dear Mrs. Duck:

Enclosed is the complaint in the case of Carter's News  
Agency -vs- William E. Moore, individually and d/v/a  
Moore's News Stand.

Please advise me when service is perfected.

Very sincerely,

  
ALBERT S. GASTON

ASG  
bkf.